



## U.S. Department of Justice

Executive Office for United States Attorneys

Office of Legal Education

1620 Pendleton Street

(803) 544-5100

Columbia, SC 29201-3836

FAX (803) 544-5110

### LAW OF EVIDENCE A Videotape Series by Irving Younger

# Agenda

## DAY ONE

<b>TOTAL MINUTES:</b>	<b>740</b>
/ 50 =	<b>14.8 Hours inc. (Ethics 0 )</b>
/ 60 =	<b>12.3 Hours inc. (Ethics 0 )</b>

8:15 **REGISTRATION**

### TAPE 1 (125 Minutes)

9:00 to 10:15 a.m.

**General Introduction**

**Preface**

**Judicial Notice**

10:15 to 10:30 a.m. **Break**

10:30 to 11:20 a.m.

Judicial Notice (continued)

Types of Evidence

Competence, Relevance & Materiality

Witnesses - Preface

Elements of Competence

Incompetence by Status

11:20 to 11:25 a.m. **Stand-up Break**

### TAPE 2 (120 Minutes)

11:25 to 12:25 p.m.

**Incompetence by Status (contd)**

**Competence**

**Final Thoughts on Competence -**

**Sequence of Examination**

**Leading Questions**

12:25 to 1:30 p.m. **Lunch**

1:30 to 2:30 p.m.

Refreshing Recollection

Best Evidence Rule

Authentication

Non-Opinion Rule

Lay Witnesses

Non-Opinion Rule

Expert Witnesses

2:30 to 2:45 p.m. **Break**

### TAPE 3 (120 Minutes)

2:45 - 3:45 p.m. **Non-Opinion Rule**

**Expert Witnesses (contd)**

**Cross-examination of an Expert**

**"Vouching for a Witness"**

**Discrediting or Impeaching a Witness**

3:45 - 4:00 p.m. **Break**

4:00 - 5:00

**Discrediting or Impeaching a Witness (contd)**

**Limitations on Impeachment**

**Accrediting or Rehabilitating a Witness**

**Hearsay Preface**

**The Rule against Hearsay**

**The Nature of Hearsay**

## DAY TWO

**TAPE 4 (115 Minutes)**

9:00 - 10:10 a.m.

**The Nature of Hearsay (continued)**  
**Verbal Acts**  
**Conduct as Hearsay**

Special problems of relevance  
Privileges (rule 501 FRE)  
Public or governmental Privileges  
Private Privileges

**Questions & Discussion**

10:10 - 10:25 a.m.

**Break**

5:00 **CLE and Evaluations**

---

---

10:25 - 11:10 a.m.

**Extra-Judicial Statements by Witnesses**

11:10 - 11:15 a.m.

**Stand-up Break**

**TAPE 5 (120 Minutes)**

11:15 - 12:10 p.m.

**Extra-Judicial Statements by Witnesses**  
**(contd)**  
**The Admission Exception**

12:10 - 1:10 p.m.

**Lunch**

1:10 - 2:15 p.m.

**Exceptions to the Rule Against Hearsay**  
**Prior Reported Testimony**  
**Business Records Exception**

2:15 - 2:30 p.m.

**Break**

**TAPE 6 (110 Minutes)**

2:30 - 3:20 p.m.

**Business Records Exception (contd)**  
**Governmental or Official Records**  
**Excited Utterances**  
**Present Sense Impression**  
**Declarations Against Interest**

3:20 - 3:30 p.m.

**Break**

3:30 - 4:30 p.m.

**Dying Declarations**  
**The Physical Condition Exception**  
**State of Mind Exception**  
**The "Residual" Exception**  
**Tape 7 (first 30 minutes only)**

4:30 - 5:00 p.m.

**State of Mind Exception (contd)**  
Rules 803(24) and 804 (b)(5), FRE

